

FEB 26 2010

JOHN F. CONCORAN, CLERK
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JEREMY HUTCHERSON,
Plaintiff,

v.

**JAMES BERKLEY PRIEST, et al.,
Defendants.**

Civil Action No. 7:10-cv-00060


FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** that Hutcherson's request to proceed in forma pauperis is **GRANTED**; this action, pursuant to 42 U.S.C. § 1983, is **DISMISSED** without prejudice as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i); and this matter is **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order and accompanying Memorandum Opinion to the plaintiff.

ENTER: This 26th day of February, 2010.


United States District Judge